

***United States Court of Appeals***  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

**LYLE W. CAYCE**  
**CLERK**

**TEL. 504-310-7700**  
**600 S. MAESTRI PLACE**  
**NEW ORLEANS, LA 70130**

January 04, 2016

Mr. David O'Toole  
Eastern District of Texas, Sherman  
101 E. Pecan Street  
Federal Building  
Room 216  
Sherman, TX 75090-0000

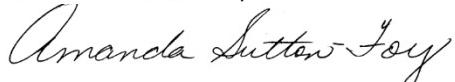
No. 15-41434      Kevin Miller v. Texoma Medical Center, Inc.  
USDC No. 4:13-CV-32

Dear Mr. O'Toole,

Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Amanda Sutton-Foy, Deputy Clerk  
504-310-7670

cc w/encl:

Mr. Jimmy Derek Braziel  
Ms. Kimberly Rives Miers

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 15-41434

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A True Copy  
Certified order issued Jan 04, 2016

*Tyler W. Cayce*

Clerk, U.S. Court of Appeals, Fifth Circuit

KEVIN MILLER,

Plaintiff - Appellant

v.

TEXOMA MEDICAL CENTER, INCORPORATED,

Defendant - Appellee

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Appeal from the United States District Court for the  
Eastern District of Texas, Sherman

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CLERK'S OFFICE:

Under 5<sup>TH</sup> CIR. R. 42.3, the appeal is dismissed as of January 4, 2016, for want of prosecution. The appellant failed to timely appellant's brief and record excerpts.

LYLE W. CAYCE  
Clerk of the United States Court  
of Appeals for the Fifth Circuit

*Amanda Sutton-Foy*

By: \_\_\_\_\_  
Amanda Sutton-Foy, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT